

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
D. Joseph Kurtz, Individually and on :
Behalf of All Others Similarly Situated, :
: Plaintiff, :
: :
vs. : No. 1:14-cv-01142-JBW-RML
: :
Kimberly-Clark Corporation and :
Costco Wholesale Corporation, :
: Defendants. :
-----X

**DECLARATION OF DANIEL A. SPIRA
IN SUPPORT OF KIMBERLY-CLARK CORPORATION'S
MEMORANDUM OF LAW IN OPPOSITION TO CLASS CERTIFICATION**

I, Daniel A. Spira, declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the following is true and correct:

1. I am an attorney duly admitted to practice law in the State of Illinois, and I have been admitted *pro hac vice* as counsel in this litigation. I am an associate at the law firm of Sidley Austin LLP, attorneys for Defendant Kimberly-Clark Corporation. I have personal knowledge regarding the matters stated in this Declaration. If called to testify, I could and would testify consistently with the statements in this Declaration.

2. A true and correct copy of a document produced by the City of Kirkland, Washington pursuant to a subpoena issued by Plaintiff's counsel, re-produced by Plaintiff's counsel to Defendants, and labeled as KIRKLAND006698-701, is attached as Exhibit A.

3. A true and correct copy of a document produced by the City of Vancouver, Washington pursuant to a subpoena issued by Plaintiff's counsel, re-produced by Plaintiff's counsel to Defendants, and labeled as COV010079-80, is attached as Exhibit B.

4. A true and correct copy of a document produced by the City of Kirkland, Washington pursuant to a subpoena issued by Plaintiff's counsel, re-produced by Plaintiff's counsel to Defendants, and labeled as KIRKLAND004536-40, is attached as Exhibit C.

5. A true and correct copy of a document produced by the City of Kirkland, Washington pursuant to a subpoena issued by Plaintiff's counsel, re-produced by Plaintiff's counsel to Defendants , and labeled as KIRKLAND005303-08, is attached as Exhibit D.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed in Chicago, Illinois this 27th day of March, 2015.

/s/ Daniel A. Spira
Daniel A. Spira